

CITY VARIANCE APPLICATION FORM
CITY VARIANCE : Billings Variance # 1375 - Project # 24-00147

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the City of Billings Zoning Regulations.

PARCEL TAX ID # A15922 CITY ELECTION WARD # 1

Legal Description of Property: SUBURBAN SUBD, S04, T01 S, R26 E, BLOCK 11, Lot 1 -2

Address or General Location (If unknown, contact City Engineering): 412 3rd Street West, Billings, MT 59101

Zoning Classification: N1

Size of Parcel (Area & Dimensions): 7000 Square Feet

Variance(s) Requested: Building a 6 ft Chain Link fence on corner lot to keep homeless and trespassers from access to garden and stealing produce.

Facts of Hardship: (attach letter)

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): Lorin Peterson

(Recorded Owner)

1014 W. Maryland Ln Laurel, MT 59044

(Address)

406-208-1100

(Phone Number)

alsundeen@gmail.com

(email)

Agent(s): _____

(Name)

(Address)

(Phone Number)

(email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Variance. Also, I attest that all the information presented herein is factual and correct.

Signature: 

(Recorded Owner – digital signature allowed)

Date: 5/13/2024

May 13, 2024

To: Chairperson of the Board of Adjustments

I am requesting a variance to the fence codes/zoning at 412 3rd Street West, Billings, MT 59101. I am requesting this variance because my 84-year-old father and 79-year-old mother currently live at this house and last year he planted apple trees by the garage driveway and homeless/trespassers went through and stole all of his new apples and stole propane tanks off his camper. He wants to plant a garden in the space and keep the growing homeless population from stealing all his produce.

I would like to install a 6ft chain link fence at what I perceive to be the back lot of the property. The house is located on the property right next to the alley and the garage blocks the view of this fenced area.

Across the street is Bloedorn Lumber - 233 Howard Avenue. They have an 8ft chain link fence on their corner lot. I am trying to build a fence that resembles that one, but only at 6ft height, to keep the look of the neighborhood consistent.

I do not see this fence as a danger to drivers at the corner because it is see-through. If I only put up a 30-inch fence, anyone could just step over that. If we follow the existing codes for a 6ft fence and set the fence back from the corner the 110ft, the lot is useless because it will be over halfway back in the lot at an angle leaving no room for a secure garden.

This has become a rather "rough" area of town with a lot of pedestrian traffic coming though on a daily/nightly basis. People always cut across this part of the property, and I would like to stop that so that dad can have a garden and people not trample through it and steal all his produce and property.

In the pictures you will see that I put wire on the top, so it would match Bloedorn. I can and will remove that wire part, if needed, to comply with City code. The additional photos show the layout of the property and the chain link fence and clearly show that it is see-through from the street.

I do not see that this variance would impact any of the neighbors or limit the view of traffic driving on the streets.

Please consider this variance. It would make an elderly man very happy to have a garden and to be able to use this portion of the property that they pay property taxes for. Thank you.

Sincerely,

Lorin Peterson

Owner of 412 3rd Street West, Billings, MT 59101

Cell # 406-208-1100

Questions:

A. What reasons prevent you from using this property in conformance with the Zoning Regulations requirements?

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Please see enclosed letter to the Chairperson of the Bord of Adjustments too.

B. Why is there a need for the intended use of the property at this location?

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